

PATENT  
Docket No. 150.0064 0102  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Eugene P. Marsh ) Group Art Unit: 2815  
Serial No.: 09/942,200 ) Examiner: J. Nguyen  
Confirmation No.: 8194 ) Filed: 29 August 2001  
For: DIFFUSION BARRIER LAYERS AND METHODS OF FORMING SAME

# 5/Election  
6-4-02  
VLS

RESPONSE TO RESTRICTION REQUIREMENT

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JUN 03 2002

TECHNOLOGY CENTER 2800

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Restriction Requirement dated 3 May 2002, Applicant elects, with traverse, the species that the Examiner indicates is illustrated in Figure 1. It would appear that claims 23-26 and 37-39 are readable on the elected species. Applicant's Representatives reserve the right to pursue examination of the other species in continuation or divisional applications. Further, as indicated by the Examiner, if an allowance of a generic claim occurs, claims to additional species written in dependent form or which otherwise include all the limitations of the allowed generic claim will be considered.

Applicant traverses the Restriction Requirement because each of the embodiments involve the use of a barrier layer. In other words, a barrier layer is used whether in regard to a capacitor structure or a memory cell structure. Further, Applicant respectfully submits that the Examiner has improperly grouped the Figures of the present invention. For example, Figure 2 does not show an entire capacitor as is shown in Figure 3. Rather, Figure 2 shows a conductive stack that can be used in a capacitor or interconnect. In addition, although Applicant submits that none of the pending independent claims are generic, Figure 1 is generic to Figures 2-5. As a result, Applicant respectfully requests reconsideration of the restrictions in this case and submits that the inventions as claimed can be readily evaluated in one search without placing undue burden on the Examiner.

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The Examiner is invited to contact Applicant's Representatives, at the below-listed telephone number, if there are any questions regarding this Response or if prosecution of this application may be assisted thereby.

**CERTIFICATE UNDER 37 C.F.R. § 1.8:**

The undersigned hereby certifies that this paper is being transmitted by facsimile in accordance with 37 C.F.R. § 1.6(d) to the Patent and Trademark Office, addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on this 3 day of June, 2002, at 4:40pm (Central Time).

*Jacquelyn L. Torborg*  
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Respectfully submitted for

3 June 2002

Date

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